

Via ECF

The Honorable John G. Koeltl
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St., Courtroom 14A
New York, NY 10007

January 19, 2025

Re: *United States v. Visa, Inc., et al.*, Case No. 1:24-cv-07214 (JGK-SLC)

Dear Judge Koeltl:

Plaintiff, the United States, seeks the Court's leave to file under seal its Opposition to Visa's Motion to Dismiss and file a redacted version of the same on the public docket for the reasons stated below. Contemporaneous with the filing of this letter-motion, and in accordance with Section VI of the Court's *Individual Practices* and Paragraph 40 of the Protective Order, ECF No. 42, the United States is (1) publicly filing on ECF a copy of the Opposition to Visa's Motion to Dismiss with proposed redactions and (2) filing under seal on ECF an unredacted copy of the Opposition to Visa's Motion to Dismiss with proposed redactions highlighted.

The United States requests provisional redaction of its Opposition to Visa's Motion to Dismiss because it contains information produced by Visa in the pre-Complaint Investigation that is designated as Highly Confidential pursuant to Paragraphs 8 and 24 of the Protective Order and because Visa redacted discussion of the same information in its Memorandum in Support of its Motion to Dismiss, asking the Court to seal that information, ECF Nos. 36, 41. The Protective Order and the Court's *Individual Practices* govern the procedures for filing such material on the Court's docket.

Pursuant to Paragraph 40 of the Protective Order, the United States is required to move to seal the information designated as Highly Confidential. In turn, Section VI of the Court's *Individual Practices* requires that "[w]hen a party seeks leave to file sealed or redacted materials on the ground that an opposing party or third party has requested it, that party shall notify the opposing party or third party that it must file, within three days, a letter explaining the need to seal or redact the materials."

Counsel for the United States and Visa conferred on January 16, and the United States notified Visa that it would move to seal discussion of Visa's contracts with third parties consistent with Visa's treatment of those contracts in its Memorandum in Support of its Motion to Dismiss. The United States also notified Visa of its obligation, under this Court's *Individual Practices*, to file its own letter explaining the need to seal or redact the materials. The United States does not oppose the sealing of the materials redacted in its Opposition.

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Respectfully submitted,

/s/ Aaron Teitelbaum

Aaron M. Teitelbaum

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